IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No.: HYAE:095B
Date: November 5, 2003

Prior Application:
  Examiner: Paul W. Huber
  Group Art Unit: 2653

Sir:

This is a

[] Continued Prosecution Application (CPA) under 37 CFR §1.53(d);

[] Request for Continued Examination (RCE) under 37 CFR §1.114 (prosecution of the application is closed in the sense of 37 CFR §1.114(b));

[x] Divisional Application (parent not abandoned) under 37 CFR §1.53(b);

[] Divisional Application (parent being abandoned) under 37 CFR §1.53(d);

of pending prior application Serial No. 10/238,587, filed September 11, 2002

for [Title as filed]: OPTICAL DISK APPARATUS

[Amended Title]: OPTICAL DISK APPARATUS HAVING COMPENSATION FOR OBJECTIVE LENS DISLOCATION

by [Inventors]: Yasuhito SOMA; Akira MATSUBARA; and Kazuhiko KOUNO

1. [x] A copy of the prior application is attached. This copy comprises a true copy of the prior application as filed (specification, claims, drawings, declaration). No amendments referred to in the declaration (if any) filed to complete the prior application introduced new matter therein.

2. [] Abandon said prior application as of the filing date accorded this application.

3. [x] The filing fee is calculated below:

CLAIMS REMAINING IN AN APPLICATION AFTER
ENTRY OF ANY PRELIMINARY AMENDMENT OR   Basic Fee
AMENDMENT UNDER 37 CFR §1.116 NOTED BELOW $770.00

Total claims   2   -20 =   0 x $18.00 (* 9.00) =
Independent claims 2   - 3 =   0 x $86.00 (*43.00) =   _____
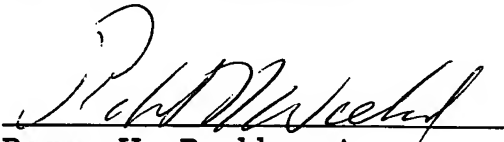   Total Filing Fee........................   = $770.00

4. [x] A check in the amount of $770.00 is enclosed (CK# 17057).
         THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY OTHER FEES
         WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT
         ACCOUNT NO. 160331.

5. [x] Cancel in this application claims 2-8 of the prior application
         before calculating the filing fee. At least one independent
         claim is retained for filing purposes.

6. [x] Amend the specification by inserting before the first line the
         sentence:

         --This is a divisional of application Serial No. 10/238,587 filed
         September 11, 2002 which in turn is a continuation of 09/492,269
         filed January 27, 2000, now U.S. Patent 6,473,373.--

7. []   Please enter in the present application the Amendment Under 37
         CFR §1.116 with any attachments filed on in this application
         which was not entered therein.

8. [x] Priority of foreign application(s) No. 11-018363, filed January
         27, 1999; in Japan is claimed under 35 U.S.C. §119.

    [x] The certified copy was filed in prior application No. 09/492,269
         on March 2, 2000.

    [ ] A certified copy of the above corresponding foreign application
         is filed herewith.

9. [x] The prior application is assigned of record to MATSUSHITA
         ELECTRIC INDUSTRIAL CO., LTD. Recorded at Reel 10590, Frame 282.

10. [x]   The power of attorney in the prior application is to Roger W. Parkhurst, Registration No. 25,177 and Charles A. Wendel, Registration No. 24,453:

    [x]   a.   The power appears in the original papers in the prior application.

    [ ]   b.   Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

    [x]   c.   Address all future communications to

                PARKHURST & WENDEL, L.L.P.
                1421 Prince Street, Suite 210
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                Telephone: (703) 739-0220.

11. [x]   An Application Data Sheet is enclosed.

12. [x]   A Preliminary Amendment is enclosed herewith.

13. [x]   An Information Disclosure Statement is enclosed.

14. [x]   This application is not entitled to Small Entity Status.

                Respectfully submitted,

                PARKHURST & WENDEL, L.L.P.

                Roger W. Parkhurst
                Registration No. 25,177
                Robert N. Wieland
                Registration No. 40,225

(rev. 10/03)